



Express Mail No. EB 132603464 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent No.: 7,214,683

Issued: May 8, 2007

Application of: Aberg *et al.*

Confirmation No.: 9369

Application No.: 09/039,260

Group Art Unit: 1625

Filed: March 16, 1998

Examiner: Chang, C.

For: COMPOSITIONS OF
DESCARBOETHOXYLORATADINE

Attorney Docket No.: 4821-306
(JD 208423-999305)

Request Under 37 C.F.R. § 3.81(b) for Issuance to Correct Assignees

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

06/04/2007 BABRAHA1 00000004 503013 7214683
03 FC:1464 130.00 DA

Sir:

In connection with the above-identified U.S. Patent, it is respectfully requested that "University of Massachusetts, Worcester, MA" be added as an assignee on the cover of this patent. In accordance with 37 C.F.R. § 3.81(b), this request is submitted with the required fee and statement that the assignment was submitted under 37 C.F.R. § 3.11 before the issuance of this patent. Also submitted herewith is a Request for Certificate of Correction, with provision for the required fee.

Basis for Grant of Petition

At the time of payment of the issue fee, Applicants, through an inadvertent error, indicated that Sepracor Inc. ("Sepracor") was the sole assignee of this patent. However, while the entire interest for this patent was originally assigned to Sepracor by the inventors, as recorded at Reel 007432, Frame 0712, Sepracor subsequently assigned one half of its entire right, title, and interest to University of Massachusetts, Worcester, MA, as recorded at Reel 008754, Frame 0866. The second assignment was submitted for recordation as set forth in 37 C.F.R. § 3.11 and was recorded before the issuance of this patent.

Based on the foregoing, it is respectfully requested that the correction of assignee be made of records and the Request for Certificate of Correction

submitted herewith be granted. A draft Certificate of Correction is submitted concurrently herewith.

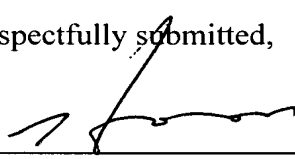
Conclusion

For the foregoing reasons, it is respectfully requested that this petition be granted and the certificate of correction be issued and entered into the record.

A fee of \$ 130.00 is believed due for this submission. Please charge this and any other required fees to Jones Day Deposit Account No. 503013.

Respectfully submitted,

Date May 30, 2007



Hoon Choi (Ltd. Recog. No.)
JONES DAY

L0209

For: Anthony M. Insogna (Reg. No. 35,203)
JONES DAY
12265 El Camino Real, Suite 200
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(858) 314-1200



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Filed: March 16, 1998

Examiner: Chang, C.

For: COMPOSITIONS OF
DESCARBOETHOXYLORATADINE

Atty. Dckt. No.: 4821-306-999
(JD 208423-999305)

REQUEST FOR CERTIFICATE OF CORRECTION

ATTN: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In conjunction with the accompanying Petition Under 37 C.F.R. § 3.81(b), Patentee hereby respectfully requests the issuance of a Certificate of Correction in connection with the above-identified patent to reflect the proper assignees. The basis for correction and provision of the required fee are provided below. The correction is described below and on the attached Form PTO-1050.

On the first page, left column, under "Assignee," "University of Massachusetts" should be added.

Applicants, through an inadvertent error, indicated that the assignee of this patent was Sepracor Inc., but as described in the Request under 37 C.F.R. § 3.81(b), concurrently submitted herewith, the assignees of the above-identified patent are Sepracor Inc. and University of Massachusetts.

Marked-up revisions are shown in the attached Form PTO-1050.

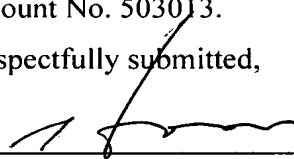
06/04/2007 BABRAHA1 00000004 503013 7214683

04 FC:1811 100.00 DA

A fee of \$ 100.00 is believed to be due for this Request. Please charge this and any other required fees, to Jones Day Deposit Account No. 503013.

Respectfully submitted,

Date: May 30, 2007



Hoon Choi (Limited Recog. No.)
JONES DAY

For: Anthony M. Insogna (Reg. No. 35,203)
JONES DAY
12265 El Camino Real, Suite 200
San Diego, CA 92130
(858) 314-1200

Attachment

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 7,214,683 B1
 DATED : May 8, 2007
 INVENTOR(S) : Aberg *et al.*

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On page 1, left column, in item (73) "Assignee", please revise as follows:

-- (73) Assignee: Sepracor Inc., Marlborough, MA (US)
 University of Massachusetts, Worcester, MA (US) --

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

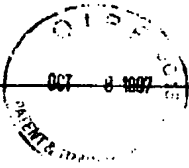
PATENT NO. : 7,214,683 B1
 DATED : May 8, 2007
 INVENTOR(S) : Aberg *et al.*

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On page 1, left column, in item (73) "Assignee", please revise as follows:

-- (73) Assignee: Sepracor Inc., Marlborough, MA (US)
 University of Massachusetts, Worcester, MA (US) --

Exhibit A



10-27-1997

EXPRESS MAIL NO.: 706866268534

BT

100557585

Attorney Docket Number

4821-206

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS

Box Assignment
Washington, DC 20231

Please record the attached original documents or copy thereof.

1. Name of conveying parties: Sepacor, Inc. Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party: Name: <u>University of Massachusetts</u> Address: <u>18 Tremont Street</u> <u>Boston, Massachusetts 02108</u> Country (if other than USA): _____									
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>September 12, 1997</u>											
4. Application number(s) or patent number(s). If this document is being filed together with a new application, the execution date of the application is: _____ A. Patent Application No. <u>08/366,651, filed December 10, 1994</u> B. Patent No.(s) <u>5,595,997</u> Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No											
5. Name and address of party to whom correspondence concerning document should be mailed: PENNIE & EDMONDS LLP 1155 Avenue of the Americas New York, NY 10036		6. Number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41): <u>\$ 40.00</u> Please charge to the deposit account listed in Section 8. 8. Deposit account number: <u>16-1150</u>									
DO NOT USE THIS SPACE											
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> <table border="0" style="width: 100%;"><tr><td style="width: 30%;"><u>Stanton T. Lawrence, III</u> Name of Person Signing</td><td style="width: 10%;"><u>15,736</u> Reg. No.</td><td style="width: 30%;"><u>Stanton T. Lawrence, III</u> Signature</td><td style="width: 30%;"><u>October 8, 1997</u> Date</td></tr><tr><td colspan="3">Total number of pages including cover sheet:</td><td><u>3</u></td></tr></table>				<u>Stanton T. Lawrence, III</u> Name of Person Signing	<u>15,736</u> Reg. No.	<u>Stanton T. Lawrence, III</u> Signature	<u>October 8, 1997</u> Date	Total number of pages including cover sheet:			<u>3</u>
<u>Stanton T. Lawrence, III</u> Name of Person Signing	<u>15,736</u> Reg. No.	<u>Stanton T. Lawrence, III</u> Signature	<u>October 8, 1997</u> Date								
Total number of pages including cover sheet:			<u>3</u>								

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignment
Washington, D.C. 2023110/23/1997 JSM:RAZZ 00000027 DAW:161150 08366651
Sale Ref: 00000028 DAW: 161150 08366651
01 FC:581 40.00 CHPATENT
REEL 8754 FRAME 0866

PENNY & EDMONDS

ASSIGNMENT

WHEREAS, the inventors, A.K. Gunnar Aberg, John R. McCullough and Emil R. Smith, citizens of Sweden, the United States and the United States, respectively, by an Assignment executed March 1, 1995, which was recorded in the United States Patent and Trademark Office on March 6, 1995, at Reel No. 7432, Frame No. 712, have assigned their full and exclusive right in and to the invention set forth in U.S. Application Serial No. 08/366,651, filed December 30, 1994 entitled METHODS AND COMPOSITIONS FOR TREATING ALLERGIC RHINITIS AND OTHER DISORDERS USING DESCARBOETHOXYLORATADINE to Sepracor Inc., having a principle place of business at 111 Locke Drive, Marlborough, Massachusetts 01752, a Delaware corporation ("Assignor"); and

WHEREAS, Assignor has taken the entire right, title and interest in the above-mentioned patent application; and

WHEREAS, University of Massachusetts, 18 Tremont Street, Boston, Massachusetts 02108 ("Assignee") desires to acquire an undivided one-half (1/2) interest in said invention; and WHEREAS, Assignor is willing to assign such an interest therein to Assignee while Assignor retains an undivided one-half (1/2) interest.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby assign, sell, and transfer to Assignee, its successors, assigns and legal representatives, an undivided one-half (1/2) interest in said invention and patent application, and any continuation, continuation-in-part, division, substitute, reissue, or extension thereof and any patents issuing thereon properly naming Emil R. Smith as an inventor.

